

No. 08MJ0112-NLS

The Court finds excludable delay, under the section indicated by check (☒),

3161(h)
 ___ (1) (A) **Exam or hrg for mental or physical incapacity**
 ___ (1) (B) **NARA examination (28:2902)**
 ___ (1) (D) **State or Federal trials or other charges pending**
 ___ (1) (E) **Interlocutory appeals**
 ___ (1) (F) **Pretrial motions (from flg to hrg or other prompt dispo)**
 ___ (1) (G) **Transfers from other district (per FRCrP 20, 21 & 40)**
 ___ (1) (J) **Proceedings under advisement not to exceed thirty days**
 ___ **Misc proc: Parole or prob rev, deportation, extradition**
 ___ (1) (H) **Transportation from another district or to/from examination or hospitalization in ten days or less**
 ___ (1) (I) **Consideration by Court of proposed plea agreement**
 ___ (2) **Prosecution deferred by mutual agreement**
 ___ (3) (A) (B) **Unavailability of defendant or essential witness**
 ___ (4) **Period of mental or physical incompetence of defendant to stand trial**
 ___ (5) **Period of NARA commitment or treatment**
 ___ (6) **Superseding indictment and/or new charges**
 ___ (7) **Defendant awaiting trial of co-defendant when no severance has been granted**
 ___ (8) (A) (B) **Continuances granted per (h) (8) -use "T" alone if more than one of the reasons below are given in support of continuance**
 ___ (8) (B) (I) 1) **Failure to grant a continuance in the proceeding would result in a miscarriage of justice and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. (Continuance - miscarriage of justice)**
 ___ 2) **Failure to grant a continuance of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted. (Continuance - tendered a guilty plea)**
 ___ (8) (B) (ii) 2) **Case unusual or complex**
 ___ (8) (B) (iii) 3) **Indictment following arrest cannot be filed in thirty (30) days**
X (8) (B) (iv) 4) **Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare (Continuance re counsel)**
 ___ 3161(I) **Time up to withdrawal of guilty plea**
 ___ 3161(b) **Grand jury indictment time extended thirty (30) more days**

UIS
Judge's Initials

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